

Appl. No. 10/729,788
Amdt. Dated February 7, 2006
Reply to Office Action of September 7, 2005

Docket No. IS01182TC
Customer No. 22917

REMARKS

Claims 1-4, 7-13, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes, et al. (hereinafter Holmes) (USPN 6,636,749) in view of Lilja, et al. (hereinafter Lilja) (USPN 5,991,640). Claims 5, 6, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes in view of Lilja and further in view of Huh, et al. (hereinafter Huh) (USPN 2003/0008680).

In support, the Examiner asserts that Holmes teaches a method, comprising: providing a handset (item 110 in Figure 2) coupled to interface with a docking station (item 104 in Figure 2), initiating a communications session, wherein the communications session spans from the handset to a remote communications device (item 127 in Figure 2) using a WPAN communications link (Bluetooth module 106 in Figure 2; col. 6, line 61), and out from the remote communications device using a cellular link (col. 6, lines 57-65); the handset translating between the WPAN communications link and the cellular link (col. 5, lines 7-13, item 106 in Figure 5); if the handset is in the docked condition, the handset routing an audio component through the docking station (item 106 in Figure 1, col. 8, lines 18-33); and if the handset is in the undocked condition, the handset routing the audio component through the handset (item 106 in Figure 5; col. 8, lines 59-62). The Examiner admits that Holmes fails to teach the handset determining one of a docked condition and an undocked condition, which makes the Examiner point to Lilja and assert that the combination of these references makes obvious the invention of the present application. The Applicants, however, strongly disagree.

In short, the obviousness provision of 35 U.S.C. 103(a) denies patentability when "the differences between the subject matter sought to be patented and the prior art are such that the subject matter as whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." The Applicants assert that the combination of Holmes and Lilja fail to teach, suggest or make obvious the invention of the present invention.

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Each claim of the present application recites or depends from claims that recite:
...initiating a communications session, wherein the communications session spans from the *handset* to a *remote communications device* using a WPAN communications link, and out from the remote communications device using a cellular link;

...

if the *handset* is in the docked condition, the *handset* routing the audio component through the docking station; and

if the handset is in the undocked condition, the handset routing the audio component through the handset.

As set forth in an embodiment of the specification, a communications system is provided that includes a remote communications device (e.g., cellular telephone), and a handset that is coupled to interface with a docking station. The handset comprises a WPAN transceiver and communicates with the remote communications device using a WPAN communications link (e.g., Bluetooth, OBEX, 802.11, etc.). Thus, a communication session can be created which spans from the handset to the remote communications device using the WPAN communications link, and then from the remote communications device to another party or entity using a cellular link (page 6, lines 26-30).

When the handset is coupled to the docking station, the handset determines that a docked condition exists, and routes the audio of the communication session through the docking station to create a "hands-free mode". When the handset is not coupled to the docking station, the handset determines that an undocked condition exists, and routes the audio through the handset itself to create a "privacy mode" (page 5, lines 18-22). While in the "privacy mode", the docking station plays no role in the communications session (page 7, lines 4-7).

In contrast, Holmes describes providing wireless protocol capability (e.g., Bluetooth) to a *charge cord*, therefore allowing a wireless device to acquire wireless

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protocol capability and electrical power from the same attachment (see col. 3, lines 8-13). Thus, Holmes merely discloses providing Bluetooth capability to a wireless phone that does not have Bluetooth capability in order to allow the wireless phone to couple to a Bluetooth device, such as a hands free car kit, via the Bluetooth protocol. Moreover, Holmes does not have a *handset* that is in communication with the *wireless phone* via WPAN. Thus, nowhere does Holmes teach, suggest, or make obvious initiating a communications session, wherein the communications session spans from the *handset* to a *remote communications device* using a WPAN communications link, and out from the remote communications device using a cellular link, where the audio component of the communication session is routed through the docking station if the handset is in the docked condition, and where the audio component of the communication session is routed through the *handset* if the *handset* is in the undocked condition.

Since the differences between the subject matter as claimed and the cited references are so clearly significant, the Applicants assert that the subject matter as a whole would not have been obvious to one of ordinary skill in the art at the time the invention was made. In accordance, the Applicants assert that the cited references fail to teach, suggest or make obvious the invention of the present application. Reconsideration and allowance of the claims is respectfully requested.

Since claims 1 and 10 are believed to be allowable, all claims that depend therefrom contain the limitations of these allowable claims and merely recite additional limitations that should not preclude patentability. As such, upon reconsideration, the Applicants respectfully request that claims 1-18 be passed to allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

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In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

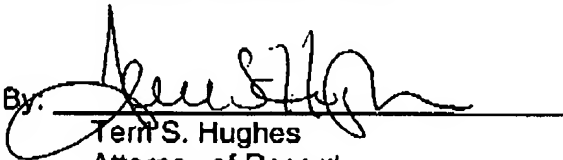
Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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Attachments